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22 UNITED STATES DISTRICT COURT
23
24 NORTHERN DISTRICT OF CALIFORNIA
25
26 SAN FRANCISCO DIVISION

27 GOOGLE LLC,

28 Plaintiff,

vs.

SONOS, INC.,

Defendant.

CASE NO. 3:20-cv-06754-WHA
Related to CASE NO. 3:21-cv-07559-WHA

**DECLARATION OF JOCELYN MA IN
SUPPORT OF SONOS, INC.'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED (DKT. NO. 455)**

1 I, Jocelyn Ma, declare and state as follows:

2 1. I am an attorney licensed to practice in the State of California and am admitted to
 3 practice before this Court. I am an associate at Quinn Emanuel Urquhart & Sullivan LLP representing
 4 Google LLC (“Google”) in this matter. I have personal knowledge of the matters set forth in this
 5 Declaration, and if called as a witness I would testify competently to those matters.

6 2. I make this declaration in support of Sonos, Inc.’s (“Sonos”) Administrative Motion to
 7 Consider Whether Another Party’s Material Should Be Sealed (“Administrative Motion”) (Dkt. No.
 8 455) filed in connection with Google’s and Sonos’s (collectively, “Parties”) Joint Discovery Letter
 9 Brief (“Joint Discovery Letter Brief”) (Dkt. No. 456). If called as a witness, I could and would testify
 10 competently to the information contained herein.

11 3. Google seeks an order sealing the materials as listed below:

Document	Portions Google Seeks to Be Filed Under Seal	Designating Party
Joint Discovery Letter Brief	Portions highlighted in yellow	Google and Sonos
Exhibit 1 to Joint Discovery Letter Brief (“Exhibit 1”)	Portions highlighted in green and outlined in blue boxes	Google
Exhibit 1	Portions highlighted in yellow	Google and Sonos

19 4. I understand that the Court analyzes sealing requests in connection with discovery
 20 motions pursuant to a “good cause” standard. *See Intel Corp. v. Tela Innovations, Inc.*, No. 3:18-CV-
 21 02848-WHO, 2018 WL 4501146, at *3 (N.D. Cal. Sept. 18, 2018). I also understand that good cause
 22 to seal is shown when a party seeks to seal materials that “contain[] confidential information about
 23 the operation of [the party’s] products and that public disclosure could harm [the party] by disclosing
 24 confidential technical information.” *Digital Reg. of Texas, LLC v. Adobe Sys., Inc.*, No. C 12–1971
 25 CW, 2014 WL 6986068, at *1 (N.D. Cal. Dec. 10, 2014). I further understand that courts have found
 26 it appropriate to seal documents that contain “business information that might harm a litigant’s
 27 competitive standing.” *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 589-99 (1978).

1 5. The portions of the Parties' Joint Discovery Letter Brief and Exhibit 1 highlighted in
2 yellow contain confidential business agreements and licensing negotiations that are not public. I
3 understand that public disclosure of this information would harm Google's competitive standing and
4 its ability to negotiate future agreements by giving competitors access to Google's highly confidential
5 business thinking and asymmetrical information about Google's collaboration strategies to other
6 entities. If such information were made public, I understand that Google's competitive standing
7 would be significantly harmed. Google has therefore designated this information as **HIGHLY**
8 **CONFIDENTIAL—ATTORNEYS' EYES ONLY** under the protective order (Dkt. No. 92). A less
9 restrictive alternative than sealing the highlighted portions would not be sufficient because the
10 information sought to be sealed is Google's proprietary and confidential business information but has
11 been utilized by the Parties in support of their Joint Discovery Letter.

12 6. The portions of Exhibit 1 highlighted in green and outlined in blue boxes contain
13 references to Google's confidential business information and trade secrets, including details regarding
14 the architecture and technical operation of Google's products. The specifics of how these
15 functionalities operate is confidential information that Google does not share publicly. Thus, I
16 understand that the public disclosure of such information could lead to competitive harm to Google, as
17 competitors could use these details regarding the architecture and functionality of Google's products
18 to gain a competitive advantage in the marketplace with respect to their competing products. Google
19 has therefore designated this information as **HIGHLY CONFIDENTIAL—ATTORNEYS' EYES**
20 **ONLY** under the protective order (Dkt. No. 92). A less restrictive alternative than sealing would not
21 be sufficient because the information sought to be sealed is Google's confidential business
22 information and trade secrets but has been utilized by the Parties in support of their Joint Discovery
23 Letter.

24 I declare under penalty of perjury under the laws of the United States of America that to the
25 best of my knowledge the foregoing is true and correct. Executed on January 30, 2023, in San
26 Francisco, California.

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1 DATED: January 30, 2023

2 By: /s/ Jocelyn Ma
3 Jocelyn Ma

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